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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: John M. Hess et al.) PATENT APPLICATION FEB 08 1999
Serial No.: 09/196,301) SC-140
Filed: November 19, 1998) Group Art Unit: 3752
For: A DISPENSING STRUCTURE)
INCORPORATING A VALVE-)
CONTAINING FITMENT FOR)
MOUNTING TO A CONTAINER)
AND A PACKAGE WITH A)
DISPENSING STRUCTURE)
Examiner: Not Yet Assigned)

TECHNOLOGY CENTER 3700

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.97, the art identified on the attached form PTO-1449 and other matters discussed below may be helpful to the Patent Office in its examination of the application identified above.

A copy of each of the issued patent documents is enclosed herewith for the Examiner's consideration.

WO 96/38349 (PCT/EP 96/01931) discloses a pourer component to be welded to a plastic container that can be made of foil-like synthetic material. The pourer component has four welding ribs (4) and a pouring channel (3). The pouring channel (3) is defined in a spout which has an external thread (2). FIG. 3 shows that a lower portion of the component has tapered sidewalls.

DE 297 06 158 U 1 discloses a pourer component similar to that described above with reference to WO 96/38349. In the component illustrated in DE 297 06 158 U 1, there is an occlusion member (7) which fits into the open upper end of the spout to block the pouring channel (3). FIG. 1 appears to illustrate some sort of tab (13) which appears to be attached to tear-away band which initially connects the occlusion member in an inverted position to the top of the spout to form an initial seal over the spout.

DE 297 06 159 U 1 discloses a pourer component similar to the pourer component described above with reference to DE 297 06 158 U 1. However, DE 297 06 159 U 1 appears to disclose a member 8 across the bottom of the pourer component as shown in FIGS. 2 and 4.

The order of listing of the art on the attached Form PTO-1449 should not be construed as an indication of the importance of the listed art.

The Patent and Trademark Office Examiner is requested to review the art and determine the extent of the materiality of the disclosures thereof with respect to the patentability of the subject invention. It is expected that the Patent and Trademark Office Examiner will independently conduct a complete search for relevant prior art.

No inference should be drawn and no representation is made or intended: (a) that a search has been made, or if made, was complete; (b) that the art on the attached list presents a comprehensive investigation of the prior art; or (c) that no more pertinent art than that listed is in existence. [See 37 C.F.R. §1.97(g)]

Citation of any art herein is not to be construed as an admission: (a) that the art disclosure is, or is considered to be, necessarily within the invention field of endeavor, pertinent to the instant invention, or equivalent to the instant invention; (b) that the art disclosure is, or is considered to be, necessarily prior in time to a particular date which may be relevant in the instant patent application; (c) that the art disclosure is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and/or (d) that the art disclosure is otherwise necessarily prior art with respect to the instant invention and application. [See 37 C.F.R. §1.97(g).]

No inference should be drawn that the discussion of any art herein is a discussion of each and every feature disclosed therein.

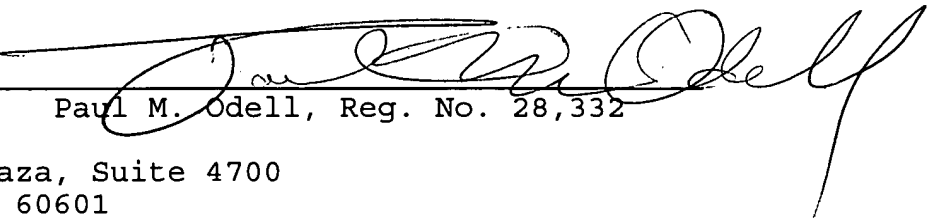
Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosures of any document or other art, including the disclosures of the art cited

Serial No. 09/196,301 - - - - 4

herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Respectfully submitted,

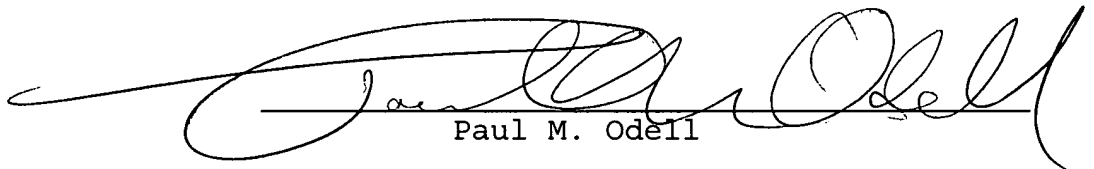
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 1999.


Paul M. Odell